




Speech By
Hon. Shannon Fentiman

MEMBER FOR WATERFORD

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**TOBACCO AND OTHER SMOKING PRODUCTS (VAPING) AND OTHER
LEGISLATION AMENDMENT BILL**

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Health, Mental Health and Ambulance Services and Minister for Women) (7.15 pm), in reply: I thank all members for their contribution to the debate on the Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024. Many have shared personal stories from their communities, highlighting conversations with parents, teachers and students who are deeply worried about the rise in vaping among young people. These firsthand accounts, alongside concerning evidence presented today by Dr John Gerrard, the Chief Health Officer, and the Cancer Council, underscore just how urgent and widespread these concerns are, particularly regarding the potential long-term health risks. I again want to thank the stakeholders who provided their valuable feedback on the bill. I would also like to thank the Legislative Policy Unit in the Strategy, Policy and Reform Division in Queensland Health.

Several members raised concerns expressed by stakeholders regarding the Commonwealth government's reforms. Whilst I acknowledge those reforms, the Commonwealth legislation represents some of the most aggressive vaping reforms in the world and it is a crucial step forward in regulating the supply of vapes across Australia. In Queensland we are going further and faster. I make no apologies for the Miles government's strong and decisive action to swiftly implement the ban on recreational vapes, to increase penalties and to significantly improve enforcement. With the Commonwealth's reforms and Queensland's leadership on enforcement, we are in a powerful position to stamp out the illicit vape trade. Our focus is clear: protecting the health of Queenslanders, especially our young people, from the dangers of recreational vaping.

A number of members highlighted the significant number of stores that continue to sell vapes and illicit tobacco. Members have raised very valid concerns about enforcement and I want to be clear: this is the bill that delivers nation-leading enforcement powers that will fundamentally change how we tackle the illicit trade in nicotine and tobacco products. For the first time in this country, Queensland will have the power—the first jurisdiction to do so—to shut down businesses that are caught supplying illicit nicotine and tobacco products. This is not just about fines; it is about putting rogue operators out of business. Under this bill there is the ability to issue immediate closure orders for up to 72 hours for those selling illicit products, and for repeat offenders there is the ability to seek court ordered closures of up to six months. This new power is a game changer. It stops businesses from treating fines as a minor cost of doing business and cuts off their operations completely. We are not just seizing products; we are also closing the door.

Make no mistake: the penalties in this bill are severe. Individuals found supplying these harmful products can face fines of over \$300,000, or two years imprisonment, and for companies the fines could reach \$1.6 million. These are not the kinds of fines that businesses can shrug off and they are designed to hit where it hurts. These reflect the seriousness of the government's commitment to tackling the health risk posed by illicit nicotine and tobacco products. This bill sends a clear message: if you engage in illegal trade, you will face severe penalties and you will be shut down.

These new powers put Queensland at the forefront of public health protection, ensuring our laws are not just words on paper but enforced with real consequences. One retail organisation submitted that the reforms are welcome—

... timely and positive initiatives, and we appreciate the continued focused work of the Queensland Government to combat the scourge of illicit smoking products ...

...

The package of initiatives introduced in this reform are meaningful and targeted.

These reforms send a clear message that the supply of vaping goods and illicit tobacco is not tolerated in Queensland.

Several members raised the issue of ensuring Queensland Health can effectively enforce the new offence provisions. We know that stronger laws require stronger enforcement capabilities. The Miles government is not just talking tough; we are backing it up with action. We have allocated \$28.4 million for enforcement, including \$5 million annually to increase the number of officers dedicated to cracking down on illicit sales. This additional funding has significantly bolstered the number of officers authorised to enforce laws related to licensing, illicit tobacco and vaping, and I want to give my thanks to all of the hardworking enforcement officers throughout the state. These dedicated Queensland Health officers are working closely with the Queensland Police Service and federal agencies to enhance enforcement, ensuring all efforts are coordinated and resources are used efficiently. Since commencement of the last reforms, the government has listened to our frontline enforcement teams and has also considered the significant changes in supply tactics. By boosting funding, resourcing and collaborating across jurisdictions, Queensland is well placed to enforce these new offences.

The member for Mirani raised concern over novel nicotine products entering the Australian market. For example, nicotine pouches—small packets of synthetic nicotine and flavourings that are placed under the lip—are becoming alarmingly common, including in schools. However, the problem does not just stop there. There is a rise in innovative and dangerous products like flavoured nicotine toothpicks, nicotine infused cotton and nicotine pearls and these pose serious new risks to public health. This is why this bill is so critical. It introduces a clear definition of illicit nicotine products, ensuring our laws remain adaptable to future challenges and importantly it allows the government to prescribe other harmful nicotine products by regulation as well as substances other than nicotine that are harmful to health. With this legislation the government will be able to quickly respond to any new products that emerge, staying ahead of evolving risks. This means we can rapidly respond to protect public health from dangerous novel products as they hit the market. As the committee heard in one stakeholder's submission—

We commend the Queensland government for its timely and decisive action in developing the bill, and for its ongoing commitment to tackling the vaping crisis.

The Miles government is delivering on its commitment through this bill. I commend the bill to the House.